

PETITION FOR ZONING VARIANCE 85-34-A TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 420.12 to permit an accessory structure (swimming pool) to be located in the side yard instead of the required rear yard.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty.)
That Petitioners desire to construct a swimming pool on their property for recreational purposes and to add value and beauty to their property and same can only be constructed to the side and rear of their home as per the attached drawing.

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: _____
(Type or Print Name)
Signature _____
Address _____
City and State _____
Address for Petitioner: _____
Robert B. Greenwalt, Esquire
Signature _____
Address _____
City and State _____
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Name _____
Address _____
Phone No. _____
Attorney's Telephone No.: 744-0444
Address _____
Phone No. _____

ORDERED By The Zoning Commissioner of Baltimore County, this 19th day of June, 1984, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 1st day of August, 1984, at 10:15 o'clock A.M.

(over)

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE July 18, 1984

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

000
Nicholas B. Commodari
Chairman

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Robert B. Greenwalt, Esquire
1124 North Rolling Road
Baltimore, Maryland 21228

RE: Item No. 340 - Case No. 85-34-A
Petitioner - William J. Kappauf, Jr., etu
Variance Petition

Dear Mr. Greenwalt:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,
Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:bsc
Enclosures

BALTIMORE COUNTY **ZONING PLANS** **ADVISORY COMMITTEE**



PETITION AND SITE PLAN **EVALUATION COMMENTS**

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner Date: July 18, 1984
FROM: Norman E. Gerber, Director
Office of Planning and Zoning
Zoning Petition Nos. 85-25-A, 85-30-A, 85-33-A,
SUBJECT: 85-34-A, 85-25-A and 85-30-A

There are no comprehensive planning factors requiring comment on these petitions.

NEG/JGH/sf

85-34-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this 19th day of June, 1984.

ARNOLD JABLON
Zoning Commissioner
Petitioner: William J. Kappauf, Jr., etu
Petitioner's Attorney: Robert B. Greenwalt, Esquire
Received by: Nicholas B. Commodari
Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY **DEPARTMENT OF PUBLIC WORKS** **TOWSON, MARYLAND 21204**

HARRY J. PISTEL, P.E.
DIRECTOR

July 13, 1984

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item 340 (1983-1984)
Property Owner: William J. Kappauf, Jr. et ux
Location: NE/Cor. LeGrand Ct. and South Rolling Road
Access: 80 x 168 District: 13th

Dear Mr. Jablon:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

Baltimore County highway and utilities improvements are not directly involved.

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Storm Drains:

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 340 (1983-1984).

Very truly yours,
GILBERT S. BENSON, P.E. Asst. Ch. of
Bureau of Public Services

GSB:EAM:FWR:mr
KY- C-N.W.
PS-24 & 25 S.W.18
TP-S.W. 6 & 7-E TX-108

BALTIMORE COUNTY **OFFICE OF PLANNING AND ZONING** **TOWSON, MARYLAND 21204**

NORMAN E. GERBER
DIRECTOR

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

7-12-84

Re: Zoning Advisory Meeting of 6-19-84
Item # 340
Property Owner: William J. Kappauf, Jr. et ux
Location: NE/Cor. LeGrand Court and South Rolling Road

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- (X) There are no site planning factors requiring comment.
- () A County Review Group Meeting is required.
- () A County Review Group meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- () This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- () A record plat will be required and must be recorded prior to issuance of a building permit.
- () The access is not satisfactory.
- () The circulation on this site is not satisfactory.
- () The parking arrangement is not satisfactory.
- () Parking calculations must be shown on the plan.
- () This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- () Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
- () Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- () The amended Development Plan was approved by the Planning Board on _____.
- () Landscaping should be provided on this site and shown on the plan.
- () The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is _____.
- () The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
- () Additional comments: _____

James A. Bower
Chief, Current Planning and Development

cc: James Howell

BALTIMORE COUNTY **FIRE DEPARTMENT** **TOWSON, MARYLAND 21204-2586**

PAUL H. REINCKE
CHIEF

July 3, 1984

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: William J. Kappauf, Jr., et ux

Location: NE/Cor. LeGrand Ct. and S. Rolling Road

Item No.: 340 Zoning Agenda: Meeting of 6/19/84

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- (X) 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- (X) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- () 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- (X) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED BY: Paul H. Reincke, Chief, Fire Prevention Bureau
Approved: _____
Special Inspection Division

/mb

JAN 24 1985

Pursuant to the advertisement, posting of property, and public hearing on a Petition and its appearing that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will not adversely affect the health, safety, and general welfare of the community, the variance(s) should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 2nd day of August, 1984, that the Petition for Variance(s) to permit an accessory structure (swimming pool) to be located in the side yard instead of the required rear yard, in accordance with the site plan marked Petitioners' Exhibit 1, be and is hereby GRANTED, from and after the date of this Order, subject to the following:

- The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

[Signature]
Zoning Commissioner of
Baltimore County

AJ/srl

cc: Robert B. Greenwalt, Esquire
People's Counsel

ORDER RECEIVED FOR FILING

DATE August 2, 1984
BY *[Signature]*
ADMINISTRATIVE ASSISTANT

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 13th Date of Posting 7-14-84
Posted for: Variance
Petitioner: William J. Kappauf, Jr.
Location of property: NE CORNER LE GRAND CT. AND SOUTH ROLLING RD. (4 LE GRAND COURT)
Location of Signs: NE CORNER OF LE GRAND AND ROLLING RD.
Remarks: _____
Posted by: *[Signature]* Date of return: 7-20-84
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., July 12, 1984.
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on July 12, 1984.

THE JEFFERSONIAN,

\$20.00

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3510

TED ZALSKI, JR.
DIRECTOR

Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Comments on Item #349 Zoning Advisory Committee Meeting
are as follows:

Property Owner: William J. Kappauf
Location: NEC LeGrand Court
Existing Zoning: DR 3.5
Proposed Zoning: DR 3.5
Variance to permit an accessory structure (swimming pool) to be located in side yard
Area: 80 x 168
Height: 13th

- The items checked below are applicable:
- All structure shall conform to the Baltimore County Building Code 1981/ Council Bill 1-82. No other applicable codes.
 - A building and other miscellaneous permits shall be required before beginning construction.
 - Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/is not required.
 - Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
 - An exterior wall erected within 6'0" of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'-0" of lot lines. A fireproof is required if construction is on the lot line, see Table 601, line 2, Section 601 and Table 602.
 - Requested variance conforms with the Baltimore County Building Code, Section 4.
 - A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.
 - Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 601.

1. Comments:

NOTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, additional information may be obtained by visiting Room #122 (Plans Review) at 111 West Chesapeake Ave., 21204.

Very truly yours,

Charles E. Burnham, Chief
Plans Review

CSB/TJ
FOUNT 01-82

Office of
PATUXENT
Publishing Corp.
10750 Little Patuxent Pkwy.
Columbia, MD 21044

July 12 19 84

THIS IS TO CERTIFY, that the annexed advertisement of

PETITION FOR VARIANCE
57116

was inserted in the following:

☐ Catonsville Times
☒ Arbutus Times
weekly newspapers published in Baltimore County, Maryland
once a week for one successive weeks before
the 14 day of July 19 84, that is to say,
the same was inserted in the issues of

July 12, 1984

PATUXENT PUBLISHING CORP.
By *[Signature]*

IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY, IN EQUITY

Plaintiff

VS.

Defendant

CERTIFICATE OF PUBLICATION OF

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
NE Corner of Le Grand Ct. & : OF BALTIMORE COUNTY
S. Rolling Rd. (4 Le Grand :
Ct.), 13th District

WILLIAM J. KAPPAUF, JR., : Case No. 85-34-A
et ux, Petitioners :

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

[Signature]
Phyllis Cole Friedman
People's Counsel for Baltimore County

[Signature]
Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, MD 21204
494-2188

I HEREBY CERTIFY that on this 19th day of July, 1984, a copy of the foregoing Entry of Appearance was mailed to Robert B. Greenwalt, Esquire, 1124 N. Rolling Road, Baltimore, MD 21228, Attorney for Petitioners.

[Signature]
Peter Max Zimmerman

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

July 27, 1984

Robert B. Greenwalt, Esquire
1124 North Rolling Road
Catonsville, Maryland 21228

Re: Petition for Variance
NE/cor. of Le Grand Court and South Rolling
Road (4 Le Grand Court)
William J. Kappauf, Jr., et ux - Petitioners
Case No. 85-34-A

Dear Mr. Greenwalt:

This is to advise you that \$61.50 is due for advertising and posting of the above property.

This fee must be paid and our zoning sign and post returned on the day of the hearing before an Order is issued. Do not remove sign until day of hearing.

Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,

[Signature]
ARNOLD JABLON
Zoning Commissioner

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 133220

DATE 8-10-84 ACCOUNT R-01-615-000

AMOUNT \$61.50

RECEIVED FROM Wm. J. Kappauf, Jr. & Mrs. Greenwalt
FOR Advertising & Posting Case # 85-34-A
(Receipt returned)

C 013*****415104 8104F

VALIDATION OR SIGNATURE OF CASHIER

July 3, 1984

Robert B. Greenwalt, Esquire
1124 N. Rolling Road
Catonsville, Maryland 21228

NOTICE OF HEARING

Re: Petition for Variance
NE/cor. of Le Grand Court and
South Rolling Road (4 Le Grand Court)
William J. Kappauf, Jr., et ux - Petitioners
Case No. 85-34-A

TIME: 10:15 A.M.

DATE: Wednesday, August 1, 1984

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

[Signature]
Zoning Commissioner
of Baltimore County

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 130587

DATE 6/5/84 ACCOUNT 01-615-000

AMOUNT 35.00

RECEIVED FROM William J. Kappauf, Jr.
FOR Filing Fee Case # 340

C 071*****351010 3054A

VALIDATION OR SIGNATURE OF CASHIER

PETITION FOR VARIANCE

13th Election District

ZONING: Petition for Variance
LOCATION: Northeast corner of Le Grand Court and South Rolling Road (4 Le Grand Court)
DATE & TIME: Wednesday, August 1, 1984 at 10:15 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

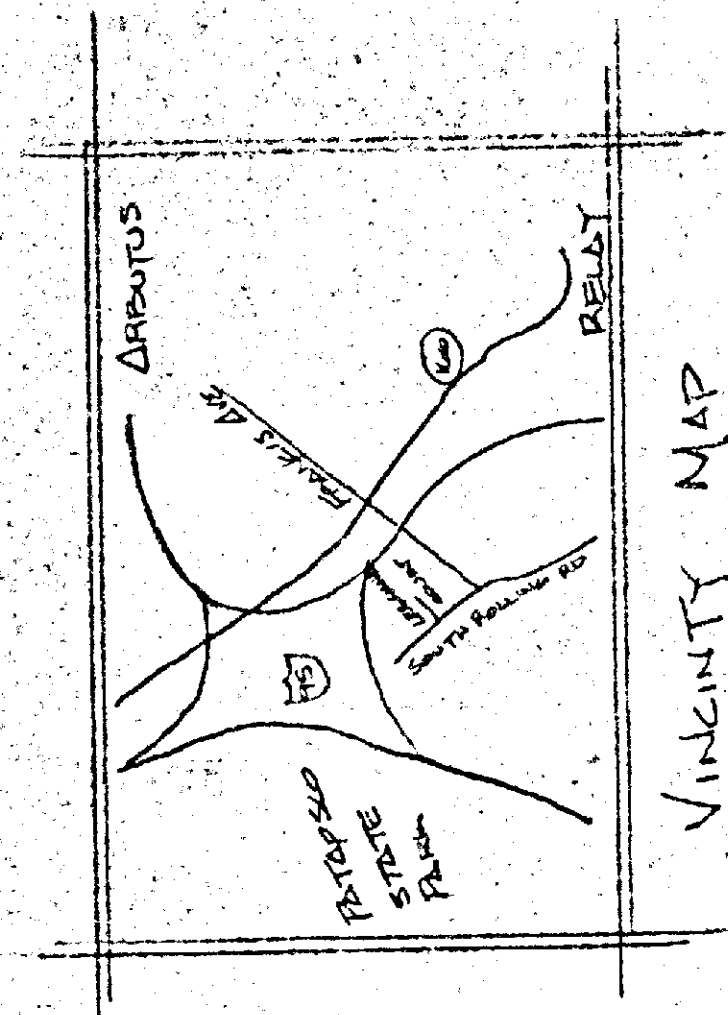
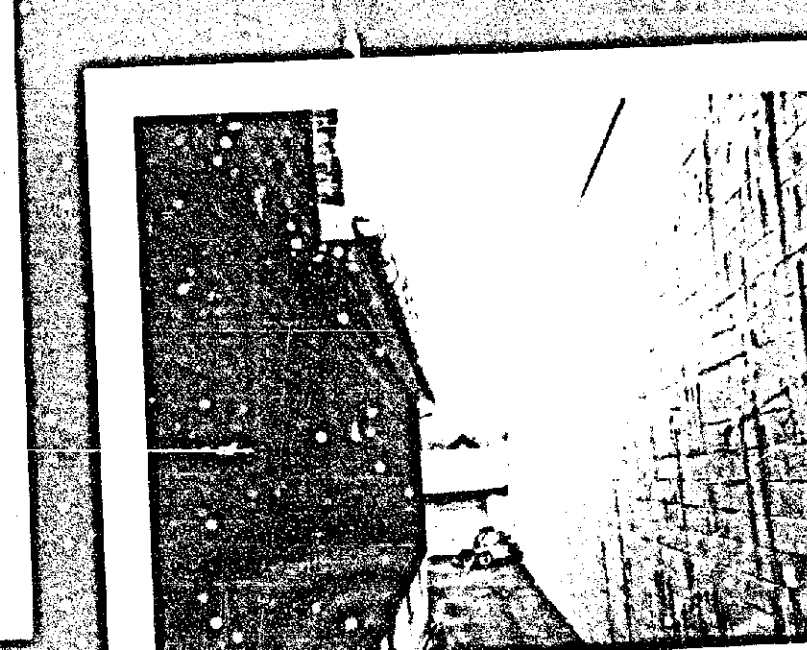
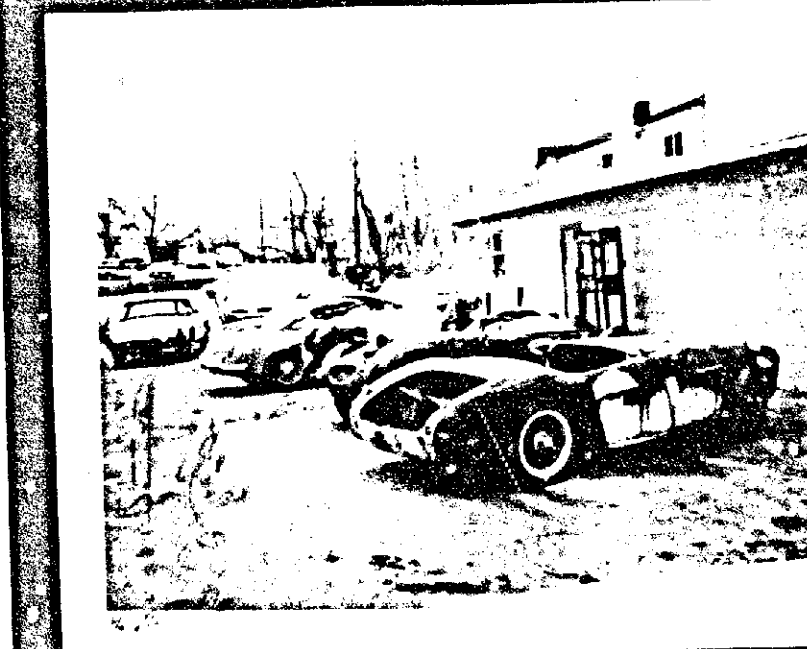
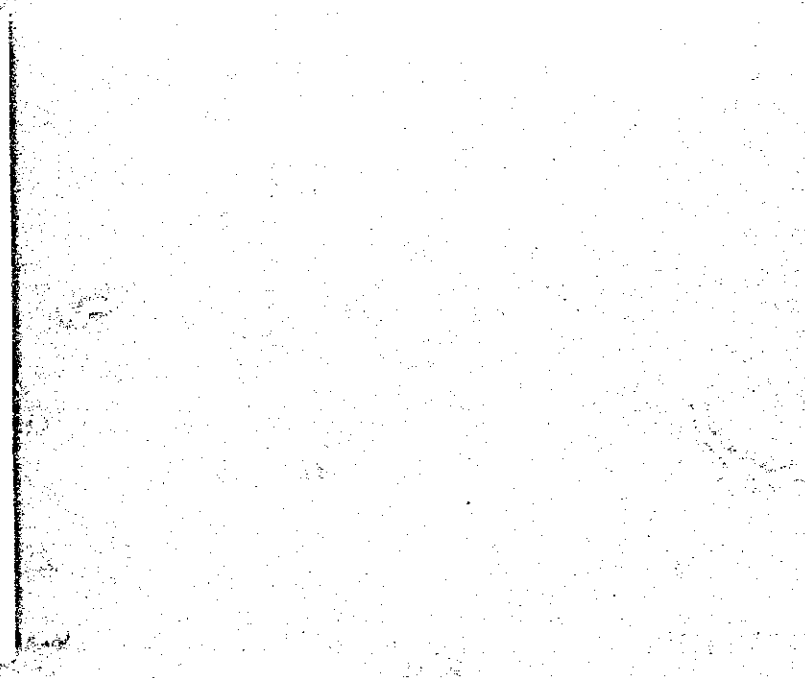
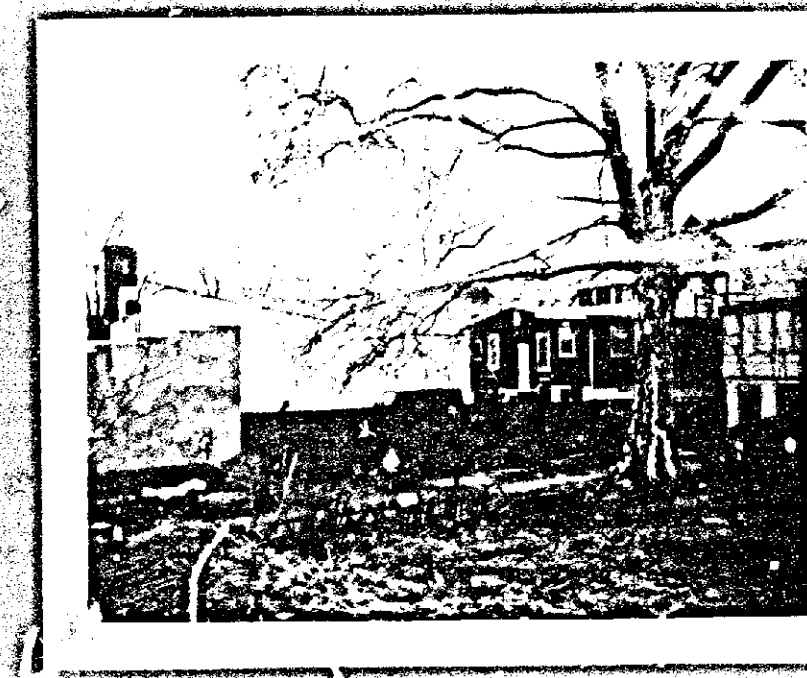
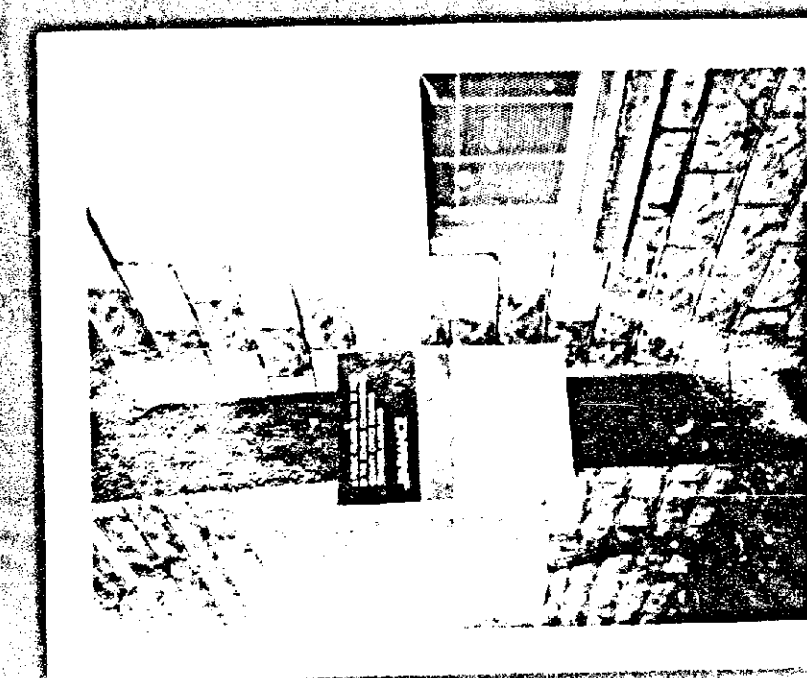
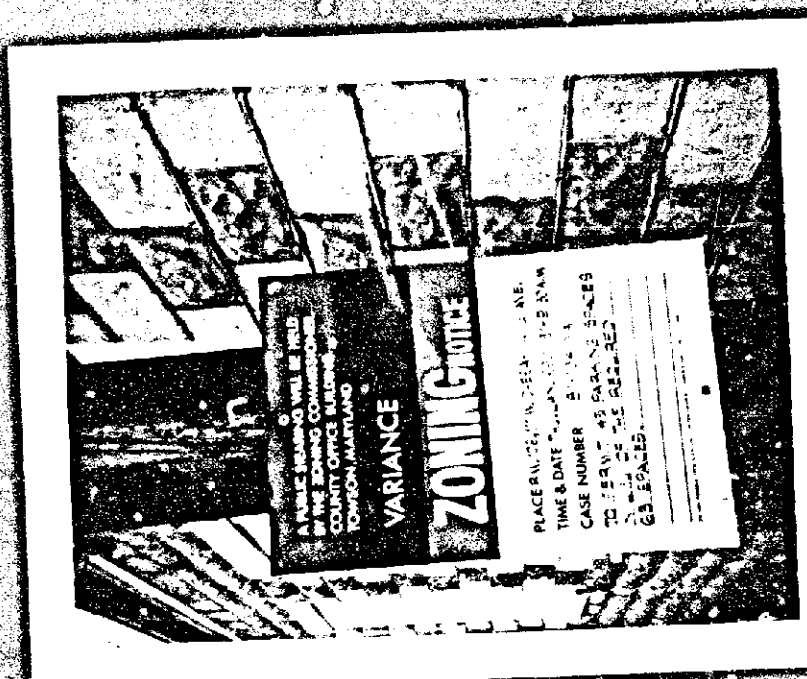
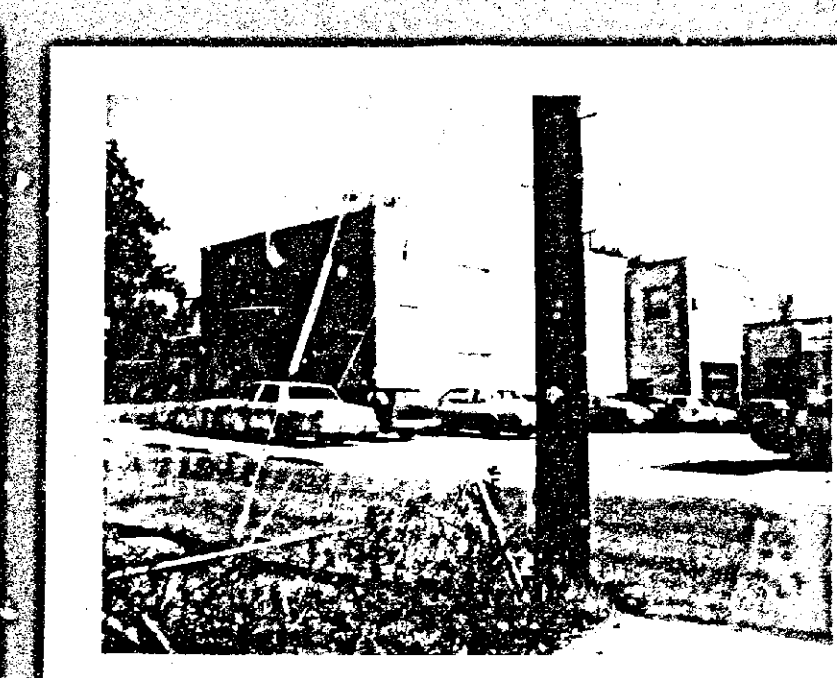
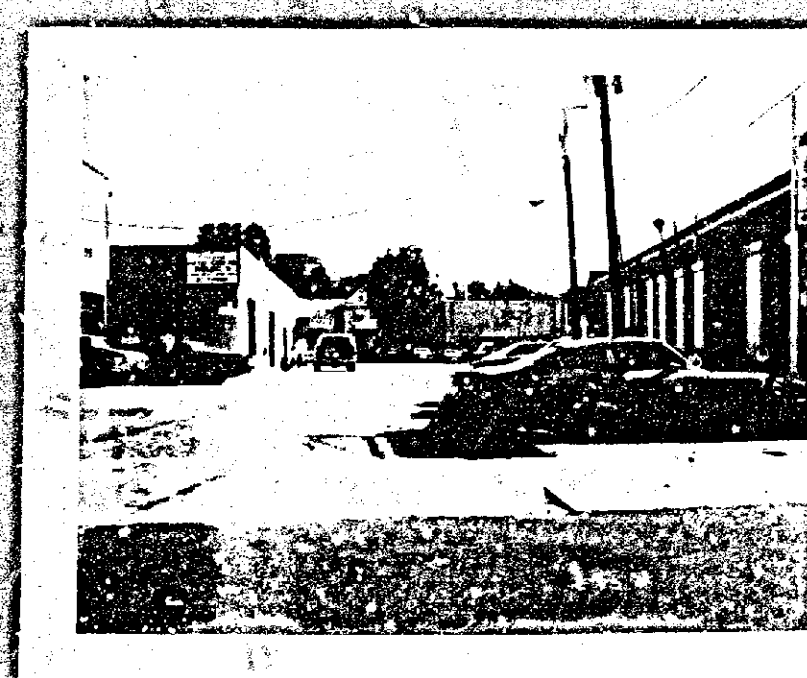
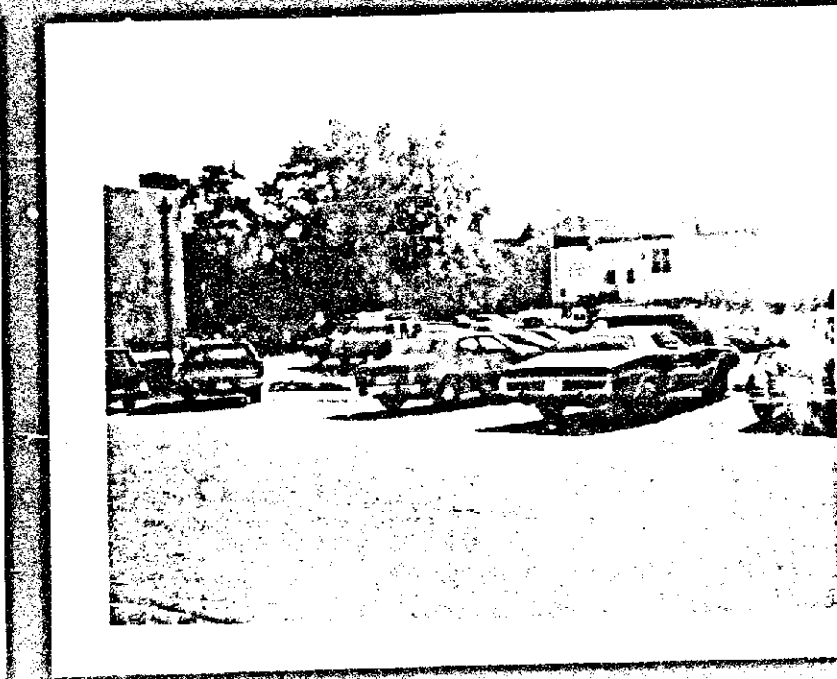
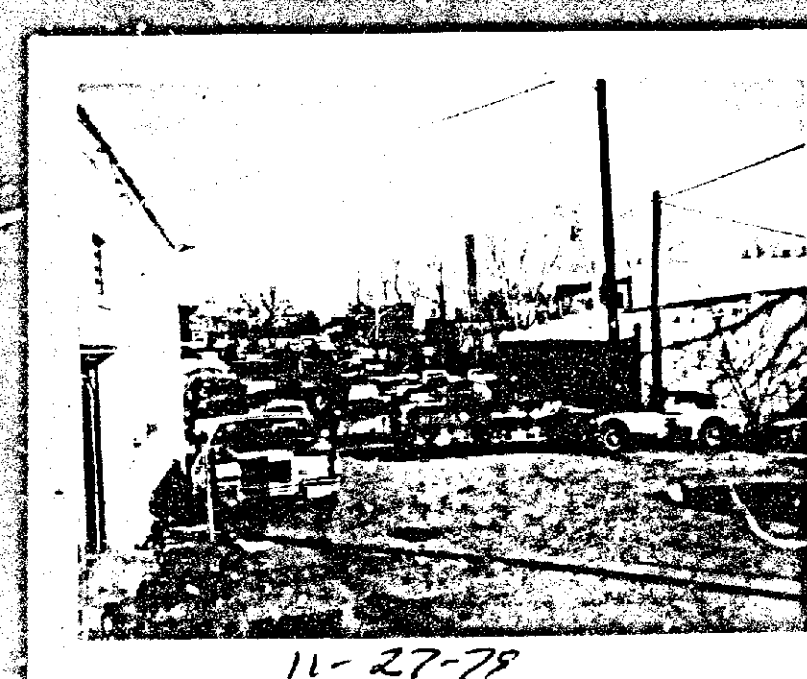
Petition for Variance to permit an accessory structure (swimming pool) to be located in the side yard instead of the required rear yard
Being the property of William J. Kappauf, Jr., et ux, as shown on plat plan filed with the Zoning Department.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

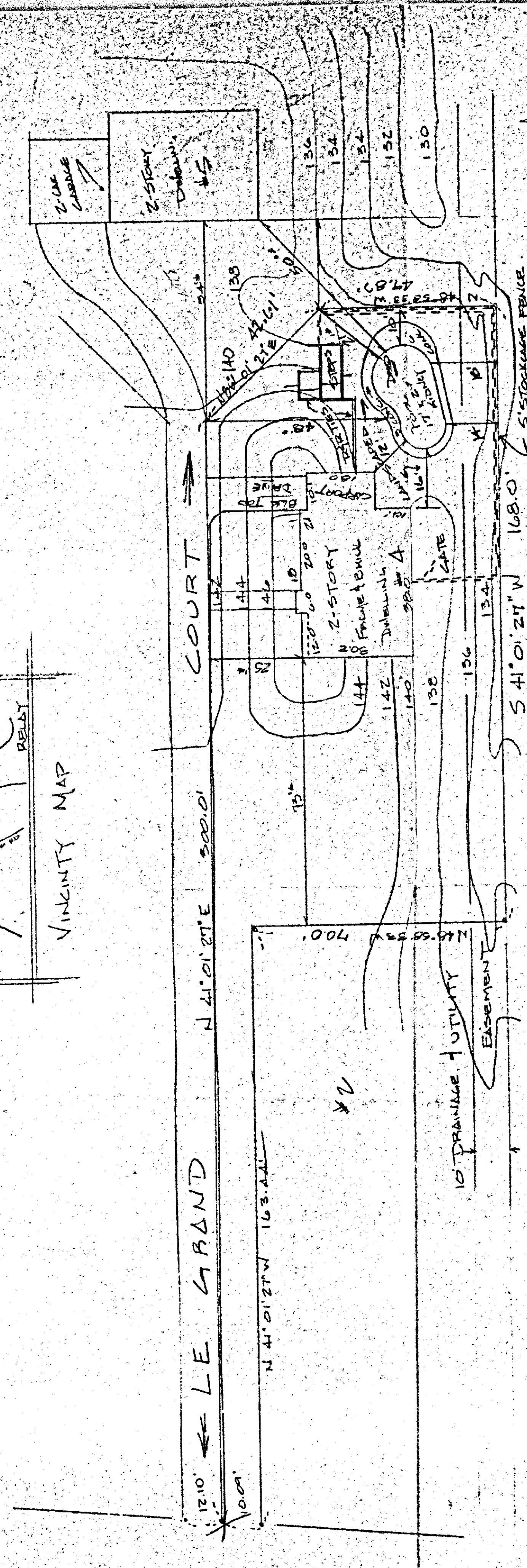
BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

Located on the Northeast corner of Le Grand Court and South Rolling Road and known as Lot 4 as shown on the Plat of Kaulfauss Property and re-recorded among the Land Records of Baltimore County in Plat Book 36, folio 67.

Also known as 4 Le Grand Court



← SOUTH ROLLING ROAD 50' R/W



INSTALLING

New Swimming Pool
10' x 24' MIDNEY INGROUND PTO
AS-15 PLANS ON FILE
INSTALLING POOL IN SIDE YARD AREA

OWNER

WILLIAM J. & KATHERINE A.
KAPPLUF
414 LE GRAND COURT
BALTIMORE, MD
DE # 6657/129 AC # 1316-00-00724

SITE LOCATION

'KAULFAUSS PROPERTY'
13TH ELECTRON DISTRICT
BALTIMORE COUNTY OF MARYLAND
EAST 1/4 TR. 36 FOLIO 67
FILED MARCH 7, 1975
'LOT 4 LE GRAND COURT'

CONTRACTOR

GOLDSELL BROS. & SONS CO., INC.
414 S. CALVERT HWY
LIESBURN, MD 21001
PH # 761-6001
LC # 678

PETITIONER'S EXHIBIT